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FAX COVER SHEET

Total Pages (including cover): *7*

11/6

Date: 10/17/03

From: Robert Lodenkamper

To: Derek Woods

Your Fax: 703-305-0014 308-60916

Re: 09/614945

FAX RECEIVED

OCT 17 2003

PETITIONS OFFICE

Memo: Please find attached a letter regarding the status of this application.

CONFIDENTIAL INFORMATION

The information in this facsimile transmission is privileged.
Please notify us immediately if you received this communication in error.

Robert Lodenkamper
Lumen IP Services
2345 Yale Street, 2nd floor
phone: (650) 424-0100
fax: (650) 424-0141

Derek Woods
US PTO Office of Petitions
phone: (703) 308-6916
fax: (703) 305-0014

FAX RECEIVED
OCT 17 2003

Re:

Application number:	09/614,945	PETITIONS OFFICE
Filing date:	7/12/2000	
Applicant:	Witold Kula	
Title:	Improved Spin Valve Magnetic Properties with Oxygen-Rich NiO Underlayer	
Examiner:	Heinz, Allen J.	
Art Unit:	2652	

Dear Derek Woods:

On 10/16/2003, Sarah Treat at Lumen inquired as to the status of the above cited application, and was informed that the application stands abandoned. In the course of this inquiry, it became clear that a petition to withdraw holding of abandonment that was filed in application 09/614,945 on 12/16/2002 was apparently never received by the Office of Petitions.

On 10/17/2003, Ron Jacobs at Lumen had a phone conversation with you, which came to the conclusion that faxing the relevant material to you would be an effective way to proceed.

Accordingly, I am including with this fax the following information:

- 1) a copy of the return postcard showing OIPE receipt of the petition in this application on 12/23/2002
- 2) a copy of the petition as filed on 12/16/2002
- 3) a copy of the description of Lumen's docketing procedure as filed with the petition on 12/16/2002.
- 4) a copy of the Lumen docket sheet for this case as of 1/6/2003, showing no receipt of the office action mailed on 3/18/2002.

Please consider the petition to withdraw holding of abandonment as timely filed in response to the notice of abandonment dated 11/18/2002, based on the above showing of a timely filed petition.

respectfully,



Robert Lodenkamper

Title: "Improved Spin Valve Magnetic Properties
with Oxy-Rich NiO Underlayer"

Appl No.: 09/014, 945

Filing Date: 7/12/00

Docket No.: S109- 2000- 0043US1



Received Today:

1. Transmittal Form
2. Petition to withdraw Holding of
abandonment.
3. Docket Sheet
4. Lumen's Bocketing Procedure

FAX RECEIVED

OCT 17 2003

PETITIONS OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number: 09/614,945
Filing Date: 7/12/2000
Applicant: Witold Kula
Application Title: Improved Spin Valve Magnetic Properties with Oxygen-Rich NiO Underlayer
Examiner: Heinz, Allen J.
Art Unit: 2652

FAX RECEIVED
OCT 17 2003

PETITIONS OFFICE

PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON
FAILURE TO RECEIVE OFFICE ACTION (MPEP 711.03)

Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL ON THE DATE INDICATED BELOW AND IS ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, DC 20231.

DATE OF DEPOSIT 12/16/02

SIGNED Jacqueline L. Myers

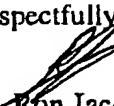
NAME OF PERSON MAKING DEPOSIT

DATE 12/16/02

In the above application, the applicant requests that the examiner withdraw the holding of abandonment, according to MPEP 711.03, on the basis that we did not receive the Office Action mailed on March 18, 2002. We have searched through our records thoroughly and our files indicate that the Office Action was never received. Also, we frequently pick up mail from our previous address on a monthly basis and the Office Action was never received at that location either. A copy of our docket sheet and our docketing procedure are enclosed herewith.

o

Respectfully submitted,


Dr. Ron Jacobs
Reg. No. 50,142
45 Cabot Avenue, Suite 110
Santa Clara, CA 95051
(408) 260-7300

Dated:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number: 09/614,945

Filing Date: 7/12/2000

Applicants: Witold Kula

Application Title: Improved Spin Valve Magnetic Properties with Oxygen-Rich NiO Underlayer

Examiner: Heinz, Allen J.

Art Unit: 2652

LUMEN'S DOCKETING PROCEDURE**FAX RECEIVED****OCT 17 2003****PETITIONS OFFICE**

Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

Our docketing procedure is as follows:

- When we receive an Office Action from the Patent Office, we stamp "Received" on the document and write Lumen along with the date that it was received.
- A project is setup in our database and the box next to the item that was received is clicked.
- The Office Action is then put into our docket for the agent to work on.

Lumen Docket No. SJO-106/US	PatentNumber 	US Govt Agency 	Print Date: 1/6/2003
Client Case Ref. No. SJO9-2000-0043-US1	IssueDate 	US Govt Contract 	USCaseStatus
Application No. FilingDate 09/614945 7/12/2000	Assignee(s)/Licensee(s) IBM - Cottle Road		
Publication No. Pub. Date 	Assignment Reel Frame: 010944/0927	Recorded on: 7/12/2000	Pending - Waiting for Next Office Action

TITLE OF THE INVENTION

Improved Spin Valve Magnetic Properties with Oxygen-Rich NiO Underlayer

INVENTORS:

Kula, Witold (Vitek)

PROSECUTION HISTORY:

Received	Sent	Project	Status	Completed	Bar Date
<input checked="" type="checkbox"/> Receipt Postcard	<input checked="" type="checkbox"/> Specification	IDS	Completed	10/5/2000	10/12/2000
<input checked="" type="checkbox"/> Filing Receipt	<input checked="" type="checkbox"/> Drawings	PETIT	Completed	12/16/2002	
<input checked="" type="checkbox"/> Notice of Recordation	<input checked="" type="checkbox"/> Claims	APPL	Completed	7/12/2000	
<input type="checkbox"/> Notice of Missing Parts	<input checked="" type="checkbox"/> Filing Fees				
<input checked="" type="checkbox"/> Restriction Requirement	<input checked="" type="checkbox"/> Declaration				
<input checked="" type="checkbox"/> IDS 1	<input checked="" type="checkbox"/> Assignment				
<input type="checkbox"/> IDS 2	<input checked="" type="checkbox"/> Record. Fee				
<input type="checkbox"/> IDS 3	<input checked="" type="checkbox"/> Power of Att.				
<input type="checkbox"/> Office Action 1	<input type="checkbox"/> SED				
<input type="checkbox"/> Office Action 2	<input checked="" type="checkbox"/> IDS 1				
<input type="checkbox"/> Office Action 3	<input type="checkbox"/> IDS 2				
<input type="checkbox"/> Office Action 4	<input type="checkbox"/> IDS 3				
<input type="checkbox"/> Notice of Allowance	<input type="checkbox"/> Missing Parts				
<input type="checkbox"/> Issue Notification	<input type="checkbox"/> Election				
<input type="checkbox"/> Patent Grant	<input type="checkbox"/> Prelim.Amend.				
<input checked="" type="checkbox"/> Notice of Abandonment	<input type="checkbox"/> Response 1				
	<input type="checkbox"/> Response 2				
	<input type="checkbox"/> Response 3				
	<input type="checkbox"/> Response 4				
	<input type="checkbox"/> Response 5				
	<input type="checkbox"/> Response 6				
	<input type="checkbox"/> Formal Drawings				
	<input checked="" type="checkbox"/> Withdraw Aband.				
	<input type="checkbox"/> Term. Disclaimer				
	<input type="checkbox"/> Issue Fee				
	<input type="checkbox"/> Suppl. Amend.				
	<input type="checkbox"/> Petition Revive				

IDS REMINDERS

<u>Notice</u>	<u>Due</u>
<input checked="" type="checkbox"/> 9/12/2000	<input checked="" type="checkbox"/> 10/12/2000

FOREIGN FILING REMINDERS

<u>Notice</u>	<u>Final Notice</u>	<u>Deadline</u>
<input checked="" type="checkbox"/> 3/12/2001	<input checked="" type="checkbox"/> 6/12/2001	<input checked="" type="checkbox"/> 7/12/2001

Special Handling:

- IBM requires their docket number on all paperwork, i.e. (your ref.):
- Do not send Foreign Filing reminders to IBM

Claims Status:	Originally Filed	Currently Pending	Allowed	Claim Remarks
Independent Claims:	3			
Dependent Claims:	30			
Total Claims:	33			